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December 16, 2022

By ECF

Hon. Frederic Block
U.S. District Court, Eastern District of New York
Brooklyn Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201
(718) 613-2420

Re: *Kwik Ticket Inc. v. Spiewak et al.*,
E.D.N.Y. Civil Case No. 1:20-cv-01201-FB-SJB

Dear Judge Block:

Pursuant to this Court's Order dated August 17, 2022 (Dkt. No. 112), staying the case to allow the parties to pursue arbitration, Plaintiff Kwik Ticket Inc., by its 50% owner Florence Shamah ("Plaintiff"), Defendants Larry Spiewak ("Mr. Spiewak"), Mindy Spiewak ("Mrs. Spiewak"), Malkah Jacobovits ("Jacobovits") (Mr. Spiewak, Mrs. Spiewak, and Jacobovits, collectively, the "Kwik Ticket Defendants"), and outside accountant Defendant Joel Boikess ("Boikess"), respectfully submit this joint status report.

Plaintiff and the Kwik Ticket Defendants have been in communication and are continuing to negotiate the forum in which Plaintiff will file and pursue arbitration. Although the arbitration clause at issue provides for arbitration before "three arbitrators in the City of New York under the rules then obtaining of the American Arbitration Association" (*see* Dkt. No. 112 at 5), the parties are considering submitting the dispute to an alternative forum, the Beth Din of America. However, they are not yet in agreement to proceed in that forum and have been discussing modification of certain rules otherwise applicable there. Discussions are continuing. Counsel for Boikess wishes to add that Boikess is not subject to the arbitration clause between Plaintiff and Kwik Ticket Defendants; thus, Boikess has not participated in the discussions between the other parties.

Unfortunately, there was an extended hiatus in those discussions over the past few weeks because Plaintiff's counsel was attending to his fiancée's terminal illness, hospitalization, passing (on December 5), funeral, and week-long *shiva* period.

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The parties remain committed to pursuing arbitration with all deliberate speed. In light of the foregoing, however, Plaintiff and the Kwik Ticket Defendants anticipate the arbitration being filed in the new year.

Respectfully submitted,

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cc: All counsel (via ECF)